

12w

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 14, 2005 Name: Tadashi Horie Reg. No. 40,437 Signature: *Tadashi Horie*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Masayuki TSUDA et al.

Appln. No.: 10/811,060

Filed: March 26, 2004

For: COMMUNICATION TERMINAL
DEVICE AND PROGRAM

Examiner: To Be Assigned

Art Unit: 2155

Attorney Docket No: 9683/178

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Supplemental Information Disclosure Statement, Copy of European Search Report, Form PTO-1449, 5 Cited References (B1-5)
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

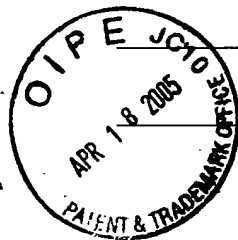
Respectfully submitted,

Tadashi Horie
Tadashi Horie (Reg. No. 40,437)

April 14, 2005
Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on



April 14, 2005

Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of Applicant, Assignee or
Registered Representative

Tadashi Horie

Signature

April 14, 2005

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Masayuki TSUDA et al.

Appln. No.: 10/811,060

Filed: March 26, 2004

For: COMMUNICATION TERMINAL
DEVICE AND PROGRAM

Attorney Docket No: 9683/178

Examiner: To Be Assigned

Art Unit: 2155

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following references:

FOREIGN DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
DE 195 43 843 A1	05/28/1997	Germany
EP 1 289 324 A1	03/05/2003	EPO
GB 2 357 865 A	07/04/2001	Great Britain

OTHER ART – NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.

JSR 118 Expert Group, "Mobile Information Device Profile", *Java Community Process*, v.2.0 (JSR-118), November 5, 2002, XP002311394

Hicks, M. et al., "Dynamic Software Updating", *Association for Computing Machinery*, vol. 36, no.5, May 2001

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). References B1-B5 were cited in a Search Report Issued in the counterpart EPO application. A copy of the Search Report is attached to this Statement. Reference B1 is in Germany. Applicants are submitting a concise explanation of the relevant part of the reference.

Applicants respectfully request the Examiner's consideration of the above references and entry thereof into the record of this application.

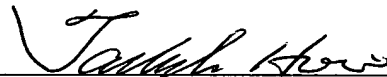
By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

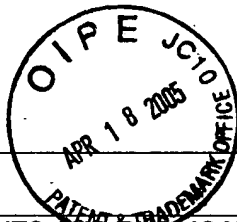
Respectfully submitted,

April 14, 2005

Date



Tadashi Horie (Reg. No. 40,437)



FORM PTO-1449	SERIAL NO. 10/811,060	CASE NO. 9683/178
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE March 26, 2004	GROUP ART UNIT 2155
APPLICANT(S): Masayuki TSUDA et al.		

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B					
	B					
	B					
	B					
	B					

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	CONCISE EXPLANATION YES OR NO
	B1	DE 195 43 843 A1	05/28/1997	Germany		Yes
	B2	EP 1 289 324 A1	03/05/2003	EPO		
	B3	GB 2 357 865 A	07/04/2001	Great Britain		
	B					
	B					

EXAMINER
INITIAL

OTHER ART – NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.

	B4	JSR 118 Expert Group, "Mobile Information Device Profile", <i>Java Community Process</i> , v.2.0 (JSR-118), November 5, 2002, XP002311394
	B5	Hicks, M. et al., "Dynamic Software Updating", <i>Association for Computing Machinery</i> , vol. 36, no.5, May 2001
	B	
	B	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.